

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2776 of 1987

Date of decision: 5-12-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KAILAS SHIKSHAN TIRTH HIGH SCHOOL

Versus

DIST EDUCATION OFFICER

Appearance:

MR Hardik Raval for Petitioner
None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 05/12/96

ORAL JUDGEMENT

Heard the learned counsel for the petitioner and perused the special civil application.

Challenge is made by the petitioner to the order

of the State Government at annexure-A dated 30-10-1986 under which the Government has declined to grant permission to open 3rd class of Standard VIII in the school for the year 1986-87. This matter had come up for admission before this Court on 8-7-1987 when rule was issued and interim relief was granted by this court, which reads as under:

"In spite of notice nobody appears on behalf of the respondents.

Rule.

By way of ad-interim direction it is directed that the respondent would permit the petitioner to open additional class of Std. VIII for the year 1987-88."

This court has permitted the petitioner to start additional Class of Standard VIII for the year 1987-88. The counsel for the petitioner stated that one additional class is continued till this date. In view of the interim relief granted by this court, in fact nothing remains to be decided on merits. This court has permitted the petitioner to open additional class, and as such at this stage, when nothing adverse against the petitioner is brought on record by the respondents, it is in the interest of justice to dispose of the petition in terms of the interim relief. The petitioner's counsel has also no objection in case the petition is disposed of in terms of the interim relief granted by this court. Order accordingly.

2. In the result the writ petition is disposed of in terms of the interim relief granted by this court on 8-7-1987. Rule made absolute accordingly. No order as to costs.

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